REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

New claims 18-24 have been added by amendment herein.

Claims 6, 8-12 and 14-17 were rejected under 35 U.S.C. 102(b) over U.S. Patent No. 5,910,997 to Ishige et al. For the following reasons the rejection is respectfully traversed.

Regarding claims 6, Ishige does not teach "said output of said rating unit being linked to said input of said fitting calculator unit and said setting signal output of said calculator unit being linkable to said setting input of said hearing device at said individual via a bidirectional interface unit," as required. As shown in Fig. 1, Ishige depicts the transmission of the digital parameter signal (DS3) and the digital auditory signal (DS1) as two separate unidirectional signals . There is no disclosure in Ishige of the use of a common bidirectional interface for communicating the two signals, as in the presently claimed invention. Furthermore, an interface (1c) is explicitly provided for the digital parameter signal (DS3), whereas the digital auditory signal (DS1) is explicitly shown connected directly to the digital data processing unit, not through the interface (1c). Moreover, the interface (1c) is clearly depicted as a unidirectional interface as shown by the single direction connecting arrows. Thus, the bidirectional interface limitation of claim 6 is not disclosed by Ishige. Since every limitation of the claims is not taught by the prior art, claim 6 and its dependent claims 8-10 are patentable over Ishige.

Regarding claim 11, Ishige does not teach "performing communication of said appraisal signals to said fitting calculator unit and of said setting signal to said hearing device via a bidirectional interface," as required. As explained above with regard to claim 6, Ishige does not

teach a bidirectional interface for communicating the two signals, as also required by claim 11. Since every limitation of the claims is not taught by the prior art, claim 11 is patentable over Ishige.

Regarding claim 12, Ishige does not teach "said output of said rating unit is linked to said input of said fitting calculator unit and said setting signal output of said calculator unit is linkable to said setting input of said hearing device at said individual via a bidirectional interface unit remote from said fitting calculator," as required. The interface unit (1c) disclosed in Ishige is clearly within the fitting apparatus (1b), and thus does not meet the "remote" requirement of claim 12. Further, as explained above with regard to claim 6, Ishige does not teach a bidirectional interface for communicating the two signals, as also required by claim 12. Since every limitation of the claims is not taught by the prior art, claim 12 and its dependent claims 14-16 are patentable over Ishige.

Regarding claim 17, Ishige does not teach "performing communication of said appraisal signals to said fitting calculator unit and of said setting signal to said hearing device via a bidirectional interface remote from said fitting calculator," as required. As explained above with regard to claim 12, Ishige does not teach the remote interface required by claim 17. Further, as explained above with regard to claim 6, Ishige does not teach a bidirectional interface for communicating the two signals, as also required by claim 17. Since every limitation of the claims is not taught by the prior art, claim 17 is patentable over Ishige. New dependent claim 18 is also patentable for the same reason.

Claims 7 and 13 were rejected under 35 U.S.C. 103(a) over Ishige in view of U.S. Patent No. 6,286,073 to Vegter. For the following reasons, the rejection is respectfully traversed.

Claim 7 depends from claim 6, and thus for the reasons explained above with regard to claim 6, Ishige does not teach or suggest every limitation of the claim. Further, Vegter does not disclose the deficiencies of Ishige. Specifically, Vegter does not teach or suggest "said output of said rating unit being linked to said input of said fitting calculator unit and said setting signal output of said

calculator unit being linkable to said setting input of said hearing device at said individual via a bidirectional interface," as required. Vegter merely discloses the use of an I2C interface between a personal computer and a remote device. Thus, even if Ishige and Vegter were combined, every limitation of the claims would not be taught or suggest. Therefore, claim 7 is patentable over the prior art of record.

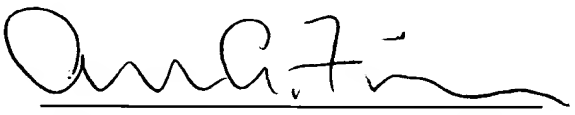
Claim 13 depends from claim 12, and thus for the reasons explained above with regard to claim 12, Ishige does not teach or suggest every limitation of the claim. Further, as explained above with regard to claim 7, Vegter does not disclose the deficiencies of Ishige. Therefore, claim 13 is patentable over the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32771US1.

Respectfully submitted,

PEARNE & GORDON LLP

By: 

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